

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

Angelica Watson

-against-

18-CV-3964-FB-RER

Citibank, N.A.

-----X

**NOTICE DESIGNATING CASE FOR COURT ANNEXED ARBITRATION and
NOTICE OF ARBITRATION HEARING**

This case has been designated to participate in the Court Annexed Arbitration Program pursuant to Local Civil Rule 83.7(d) which requires the Clerk of Court to designate and process for compulsory arbitration "all civil cases (excluding social security cases, tax matters, prisoners' civil rights cases, and any action based on an alleged violation of a right secured by the Constitution of the United States or if jurisdiction is based in whole or in part on Title 28 U.S.C. sec. 1343) wherein money damages only are being sought in an amount not in excess of \$150,000.00 exclusive of interest and costs." Damages are presumed not to be in excess of the arbitration limit unless a certification is filed in accordance with Local Civil Rule 83.7(d) (3).

The arbitration hearing is scheduled after an Answer is filed.

The hearing will occur approximately 120 days after filing of the Answer unless another scheduled is proposed by the court. Counsel have 120 days to complete discovery unless the magistrate judge orders a shorter or longer period for discovery.

The court does not anticipate that matters selected for arbitration will require discovery directions. If a dispute arises which requires a ruling on a question related to discovery, counsel must move promptly before the assigned magistrate judge.

Requests to extend discovery

The arbitrator does not have authorization to extend discovery. If more discovery time is needed, counsel are required to request an extension of discovery from the court, and file the request via CM/ECF in accordance with the Individual Motion Practices and Rules of the U.S. Magistrate Judge for the case.

Request to adjourn an arbitration hearing

Counsel may not change the arbitration hearing date without approval from the Court.

All request for adjournment must be filed via CM/ECF – including requests made to the arbitrator assigned to the case. Requests made to the court must follow the Individual Motion Practices and Rules of the U.S. Magistrate Judge for the case. Telephone requests to adjourn an arbitration hearing are not permitted.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X

Angelica Watson

-against-

18-CV-3964-FB-RER

Citibank, N.A.

-----X

LOCAL RULES:

Please refer to the Local Civil Rules for Arbitration of the U.S. District Court, Eastern District of New York on our web site: <https://www.nyed.uscourts.gov/court-info/local-rules-and-orders>.

PRO SE LITIGANTS:

Pro Se litigants are encouraged to contact the Federal Pro Se Legal Assistance Project, which is a free service offered by the City Bar Justice Center of the New York City Bar Association, and to schedule an appointment at the Brooklyn Federal Courthouse, by calling 212-382-4729.

Pro Se litigants may register to receive electronic notification of court issued filings by following the instructions available here:

<https://img.nyed.uscourts.gov/files/forms/ProSeConsElecSvc-Instructions.pdf>

Dated: 8-22-2018

By: **Rita Credle**
ADR Coordinator
U.S. District Court, EDNY
225 Cadman Plaza East – Room 215S
Brooklyn, NY 11201
Tele: 718-613-2326
Email: rita_credle@nyed.uscourts.gov

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

Angelica Watson

-against-

18-CV-3964-FB-RER

Citibank, N.A.

-----X

NOTICE SCHEDULING AN ARBITRATION HEARING

The arbitration hearing is scheduled for **November 27, 2018 at 10:00 a.m.**

Please select the arbitrator on or before **October 17, 2018** from the court's panel of arbitrators. The court's panel of arbitrators is located on the court's website:

www.nyed.uscourts.gov/alternative-dispute-resolution

Complete and e-mail the attached Stipulation for Selection of Arbitrator to Rita Credle, ADR Coordinator, at: rita_credle@nyed.uscourts.gov. **Please do not docket the Stipulation on CM/ECF.**

ARBITRATOR SELECTION

Steps for Selecting An Arbitrator:

1. Select one Arbitrator from the court's panel of arbitrators:

www.nyed.uscourts.gov/alternative-dispute-resolution

It is suggested that an arbitrator is selected using the cause of action for the case and the arbitrator's area of specialty indicated next to the arbitrator's name.

The case will not be mediated, in lieu of arbitration unless it has been ordered by the court at least 30 days prior to the scheduled arbitration hearing.

2. Contact the arbitrator to confirm the arbitrator's availability to conduct the hearing on the date set forth by the court.
3. Confirm with the arbitrator and counsel that there are no conflicts of interest, which will compromise the arbitrator's impartiality or the appearance of impartiality in accordance with Section 455, Title 28 U.S. Code. The arbitrator must promptly disclose in writing to all counsel and the ADR Coordinator any concern the arbitrator may have that a conflict of interest might exist.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

Angelica Watson

-against-

18-CV-3964-FB-RER

Citibank, N.A.

-----X

4. Complete and email the attached Stipulation for Selection of Arbitrator to Rita Credle – ADR Coordinator - rita_credle@nyed.uscourts.gov. Please *do not docket the Stipulation*.

The Stipulation should confirm the name of the arbitrator, the date of the arbitration hearing and the place of the hearing.

Arbitration Hearing/Adjournment

Unless adjourned by the court or the arbitrator, the hearing will take place on the date set forth in the Notice of Arbitration Hearing. Counsel on the case may not change the arbitration hearing date.

The Arbitrator may adjourn the arbitration hearing date **once**, provided the hearing rescheduled to occur within a 30-day period. Subsequent requests to adjourn or postpone the arbitration hearing must be made to the court.

The arbitrator **may not** adjourn an arbitration hearing date set by the district court judge or magistrate judge. In order to adjourn a hearing date set by a judge of this court, counsel must get approval from the judge, not the arbitrator.

Telephone requests to adjourn a hearing are unacceptable by the court. All requests to adjourn a hearing must be in writing and filed via ECF. Counsel will submit an e-mailed *courtesy copy* of any request to adjourn made to the Court to the ADR Coordinator.

Counsel should consult with the ADR Coordinator to get available calendar dates to reschedule the adjourned arbitration hearing before setting a new date or sending notices.

Place of Hearing

Counsel must advise the ADR Coordinator of the need for a conference room at the Brooklyn or Central Islip Courthouse at least 20 days prior to a hearing. The hearing may be held at the office of the arbitrator if the attorneys for the case consent.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

Angelica Watson

-against-

18-CV-3964-FB-RER

Citibank, N.A.

-----X

Discovery

The Standard Local Arbitration Rules specify that the parties have 120 days to complete discovery. The rules governing discovery are subject to change because of other deadlines specified by the district court judge or magistrate. The district court judge may refer the matter to a magistrate for the purposes of discovery. Rules governing arbitration are located on the court's website: www.nyed.uscourts.gov/alternative-dispute-resolution.

Admissibility of Evidence

The Federal Rules of Evidence are the guidelines used for the admissibility of evidence. Copies of photographs and exhibits, except those intended solely for impeachment, must be marked for identification and delivered to adverse parties at least ten days prior to the hearing.

Transcript

A party may have a recording and transcript made of the arbitration hearing. The party requesting a recording and transcript of the hearing shall make all necessary arrangements and bear all expenses thereof.

All correspondence regarding this hearing, including requests to change the date must be filed electronically (ECF).

Settlement

Counsel are responsible for advising the arbitrator and the ADR Coordinator of settlement of a case prior to the arbitration hearing and/or selection of an arbitrator.

By: Rita Credle, ADR Coordinator
U.S. District Court, EDNY
225 Cadman Plaza East
Brooklyn, NY 11201

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
Angelica Watson

-against-

18-CV-3964-FB-RER

Citibank, N.A.
-----X

Tele: 718-613-2326
rita_credle@nyed.uscourts.gov

STIPULATION FOR SELECTION OF ARBITRATOR*

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties:

1. The following Arbitrator has been selected from the Court's Panel of Arbitrators

Name of Arbitrator:

Firm Address

Telephone:

Fax:

Email:

2. The above named Arbitrator's appointment complies with the standards set forth in Section 455, Title 28 U.S. Code.
3. The hearing will be held on
4. The hearing will take place at
- 5.

Date:

ATTORNEY FOR THE PLAINTIFF

ATTORNEY FOR THE DEFENDANT

Date _____

Date _____

*Do Not Enter the Stipulation on CM/ECF.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
Angelica Watson

-against-

18-CV-3964-FB-RER

Citibank, N.A.
-----X

SPECIAL NOTES/INSTRUCTIONS COUNSEL/ARBITRATOR: